

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE TYRONE NOEL NUNN,

Plaintiff

Case No. 3:24-cv-00221-ART-CLB

ORDER

I. DISCUSSION

On May 24, 2024, Plaintiff initiated this action while housed at High Desert State Prison. Pursuant to Nevada Local Rule IA 1-8(a), *pro se* inmates must file their civil actions in the unofficial division of the court in which the inmate is held when the complaint is submitted for filing. Pursuant to Nevada Local Rule IA 1-6, an inmate in Clark County should file his case in the unofficial southern division.

The Court finds that the clerk's office inadvertently opened this case in the wrong unofficial division. The Court now directs the clerk's office to close the instant case and open a new case in the unofficial southern division. The clerk's office will randomly assign new judges to this case. The clerk's office will also transfer and docket all initiating documents (ECF Nos. 1, 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-8) and this order in the newly opened case. Additionally, the clerk's office will date all initiating documents in the new docket as May 24, 2024.

Additionally, because Plaintiff did not file a complaint in this matter, the Court grants Plaintiff 30 days from the date of this order to submit a complaint to this Court. *See* Fed. R. Civ. P. 3 (providing that "[a] civil action is commenced by filing a complaint with the court").

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will

1 close this case and open a new case in the unofficial southern division. The
2 Clerk of the Court will randomly assign new judges to this case.

3 IT IS FURTHER ORDERED that the Clerk of the Court will transfer and
4 docket all initiating documents (ECF Nos. 1, 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-
5 8) and this order in the newly opened case.

6 IT IS FURTHER ORDERED that the Clerk of the Court will docket the
7 initiating documents in the new case with the *nunc pro tunc* date of May 24,
8 2024.

9 IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this
10 Court within 30 days from the date of this order.

11 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff
12 the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for
13 the same.

14 Plaintiff is cautioned that this action will be subject to dismissal without
15 prejudice if Plaintiff fails to timely file a complaint. A dismissal without prejudice
16 allows Plaintiff to refile the case with the Court, under a new case number, when
17 Plaintiff can file a complaint and a complete application to proceed *in forma*
18 *pauperis* or pay the required filing fee.

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21 DATED THIS 7th day of June 2024.

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23 ANNE R. TRAUM
24 UNITED STATES DISTRICT JUDGE
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